

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 60270

Craig G. Fuhr  
6703 Tranquil Way  
Elkridge, MD 21975

6009 Loreley Beach Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 30, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-2-404 (a)(1)(ii): exterior walls and vertical supports; 35-2-404 (a)(1)(iii): roof and horizontal members; 35-2-404 (a)(1)(iv): exterior chimney; 35-2-404 (a)(1)(vi): ineffective waterproofing of exterior walls and foundation; 35-2-404 (a)(1)(vii): broken windows, door, and flaking paint. Failure to repair soffit eaves, flaking paint and broken windows, exterior wall and foundation not in good repair on residential property zoned RC 2 known as 6009 Loreley Beach Road, 21162.

On June 10, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Keith Parker issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on May 11, 2009 requesting removal of trash and debris, cutting of tall grass and weeds, and repair of structure including siding, windows, eaves, soffit. This Citation was issued on June 10, 2009.

B. Photographs in the file show a white frame house with peeling paint, extensive missing siding, missing sections of roof soffit, overgrown bushes and trees including a bush growing where the chimney meets the roof, broken windows and a damaged foundation including what appears to be a missing basement window. Notes in the file indicate that the house has been vacant for six years.

C. Respondent has a legal obligation to maintain this investment property in good repair. The house needs immediate work to make it secure from human or animal encroachment. There are broken and missing windows. The owner is required by law to maintain the exterior of the house and the yard at least in conformance with county code standards, including keeping it weathertight with roof, siding, soffits, windows and doors in good repair. Respondent has failed to meet these obligations and has failed to respond to the County's notices.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the County may enter the property for purposes of boarding or otherwise securing all windows and doors, at Respondent's expense.

IT IS FURTHER ORDERED that this case be referred to the Baltimore County Building Engineer, pursuant to County Code Sections 35-2-401 through 35-2-406, "Maintenance of Investment Property," for inspection and evaluation of whether this uninhabited investment property is in a hazardous or unsafe condition such that removal of the structure is needed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 7<sup>TH</sup> day of July 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer